

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY BAYAD)
Plaintiff,)
v.)
JOHN CHAMBERS, PATRICIA)
RUSSO, ANTHONY SAVASTANO)
and CARL WIESE,)
Defendants.)

CIVIL ACTION
No. 04-cv-10468-PBS

THE HONORABLE JUDGE PATTI B. SARIS

NOTICE THE MAGISTRATE JUDGE MARIANNA B. BOWLER BOTH REPORT(S)
AND RECOMMENDATION(S) PASSED & IGNORED THE DISCRIMINATORY
ANIMUS CISCO IDENTIFICATION OF RACE PROVIDED TO PLAINTIFF
ANTHONY BAYAD DURING INTERVIEW PROCESS CALLED EQUAL EMPLOYMENT
OPPORTUNITY THE CISCO-EEO
(SEE DOCKET ENTRY # 1 EXHIBIT NO.X-4)
ALSO ATTACHED AS EXHIBIT X HERETO SUCH COPY OF THE CISCO-EEO
RACE IDENTIFICATION FOR THE CONVENIENCE OF THE COURT TO REVIEW

Plaintiff Pro Se Bayad states to this honorable Court that
Defendants whom are also Executives of Lucent Technologies
Inc., have engaged in **discrimination** against Pro Se Plaintiff
Anthony Bayad one time at such company, and now Cisco Systems
Inc. [They] do not possess under the law the right(s) nor
the authority, and nor, on any legal ground in Massachusetts,
for an employer such as [t]hem, the defendants Cisco Systems,
to ask job applicants about **their race and gender** during the
interview process as they collectively have done with
Pro Se Plaintiff Bayad; However such defendants Chambers et,
al., also Cisco are only allowed during any interview process

to only be allowed to ask any Massachusetts residents interviewee(s) - Job Applicant(s) of only and only of his/her qualification(s) , and absolutely [they]are prohibited under the law to ask such interviewee(s)or job applicant(s) to identify his/her race during the interview process. It is the law.

[T]hese defendants Cisco have requested Plaintiff Pro Se Bayad during the interview process to identify his race and gender during the interview process , and such fact is filed with the court Docket Entry #1 Exhibit (X-4), and it is a direct evidence that is sufficient to prove discrimination without inference or presumption; additionally [t]he MacDonald Theory is not always utilized in discrimination cases -- nor applicable when direct evidence is provided to the Court, and such direct evidence is evidence sufficient to establish Plaintiff Prima ' Facie in the above action matter Chamber et, al., although pattern of discrimination of such unlawful conduct by Defendants chambers et, al., where they have requesting Pro Se Bayad to identify his race and gender during the interview process is one of many violation of law(s), and one of many violation of Pro Se Plaintiff Bayad ' Federally Protected civil Rights guarantee by Massachusetts Law (state Law) and the U.S. Constitution; such pattern of behavior is déjà vu and it is in the book of laws called violation of individuals rights and it is against the Law. Hence Pro Se Bayad would like to ask the court why the Magistrate Judge Bowler did not question such unlawful conduct

by Defendants Cisco , and nor did she mentioned it in any of her both report(s) and recommendation(s), as she did not questioned nor ruled on any of the counts and this include the count VI Breach of Contractual of Obligation Business Relationship (Global Internetworking Consulting Pro Se Bayad founding company), such count is found on Docket entry # 1 page 41.

CONCLUSION

[T]he decision produced by fraud upon the Court is not in essence a decision at all, and never become final; and law is a pledge that the citizens of a state will do justice to one another (Aristotle), and law not enforced cease to be laws, and right not defended may wither away (Tomas Moriarty), and at last the first duty of society is justice (Alexander Hamilton) and Fairness is what justice is (**Justice Potter Steward**) .

CERTIFICATION OF SERVICE

It is hereby certify that a true and correct copy of the forgoing motion in the above caption matter in Chambers et, al., was furnished via mail: to Bruce E. Falby BBO# 544143, Dla Piper Rudnick Gray Cary , one International Place, Boston MA 02110, on this 9 day of January 2006.

Anthony Bayad
2 Magoun Avenue
Medford, MA 02155
Tel: (781)704-8982


Anthony Bayad